

WETLANDS COUNCIL

MINUTES

JUNE 13, 2006

The Wetlands Council met on Tuesday, June 13, 2006 at the
Department of Environmental Services, 29 Hazen Dr., Concord, NH

Attendees: Lawrence E. Morse, Vice-Chairman; Thomas G. Chrisenton, John S. Cobb, William M. Dannehy, Camilla Lockwood, Daniel Lynch, Paul Goodwin, Seth S. Prescott, Jack Ruderman and Thomas Sloan

Michael Sclafani, Council Appeals Clerk and Nancy Perry, Acting Council Clerk

Absentees: Brian Fowler, Sharon Champagne, Russ St. Pierre

The meeting was called to order by Vice-Chairman Lawrence E. Morse at 9:00 a.m.

1. **First Order of Business**

Acting-Chairman Morse announced the departure of Council Clerk Bobbi Benedict, as she has taken another position as Secretary to the Adjutant General of the New Hampshire National Guard. Mr. Morse extended his appreciation and suggested a thank you be sent from the Council for her dedication to service to the Wetlands Council over the past years. A motion was made by Councilor Lockwood and seconded by Councilor Cobb. It was unanimously voted.

2. **Approval of Minutes of April 25, 2006 Meeting**

A motion was made by Councilor Cobb and seconded by Councilor Lynch to accept the minutes of April 25, 2006 as presented. It was unanimously voted.

3. **Status of Appeals**

Michael Sclafani, Appeals Clerk, distributed an Appeals Status Report dated June 13, 2006 and reviewed the report with council members

- **Docket No. 02-06 WtC – Donald S. Thompson Appeal – WB#2002-01019**

As discussed with the Chair, Mr. Sclafani stated that if the Council does not hear from the appellant in the next 2 or 3 weeks, he will notify the appellant about the need to appear before the Council to give an in-person update of where this appeal stands.

- **Docket No. 04-21 WtC – Lake Shore Realty Trust – WB#2001-01294**

This appeal is stayed until June 20, 2006. No action was needed or taken by the Council.

- Docket No. 05-04 WtC – Philip and Georgette Smith – WB#2000-00914
The Appeal Hearing is scheduled for September 12, 2006 at 10:00 a.m. No action was needed or taken by the Council.
- Docket No. 05-24 WtC – Evelyn, Geno and Francesca Marconi – WB#2004-02046
A notice to all parties and the Council will be sent by the Appeals Clerk when the date for the rescheduled hearing has been determined. No action was needed or taken by the Council.
- Docket No.06-02 WtC – Bodanza *et al.* – WB#2002-02483
An appeal hearing is scheduled for August 8, 2006, at 10:00 a.m. on this matter.
- Docket No. 06-03 WtC – Donald and Mary Larson – WB#2005-02387
A pre-hearing conference will be rescheduled. Date TBD. Attorney Allen Brooks filed an appearance on behalf of DES. No action was needed or taken by the Council.
- Docket No.06-05 WtC – Joseph Winn/ Winn Family Trust – WB#2005-02562
A motion was made by Councilor Chrisenton and seconded by Councilor Prescott to accept the Appeal, as timely filed by Certified Mail on May 2, 2006. Councilor Goodwin recused himself. Majority vote.
- Docket No. 06-06 WtC – West Alton Marina – WB#2005-00049
A motion was made by Councilor Chrisenton and seconded by Councilor Sloan to accept the Appeal, as timely filed by Hand Delivery on May 4, 2006. It was unanimously voted. Acting-chairman Morse announced a pre-hearing conference shall be scheduled by Chairman Brian Fowler.

3. Wetlands Bureau Update [Collis Adams, Administrator]

Collis addressed the Council regarding items being dealt with at the bureau level. He stated in general it has been an extremely busy spring because of the recent flooding events requiring a lot of additional work by the staff. The Wetlands Bureau issued numerous emergency permits to address damage incurred from these events.

To address the Cold River flooding event from October 2005, DES has retained a consultant to prepare a restoration plan for the Cold River Watershed. We interviewed several consulting firms, selected one, and they are ready to proceed with the study on a fast track. There will be some sort of similar effort for the damage incurred along the Suncook River last month. There are other areas of the State, particularly a couple of dams on Newfound River up in Bristol that DES is dealing with as well.

Collis discussed staffing issues – A newly filled part-time rulemaking and easement coordinator and the executive secretary position was posted last week.

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Collis updated the Council on Legislation and rulemaking - SB371, fee structuring; SB140, in-lieu fee mitigation; HB 1259, non-contributing wetlands determination. Collis will forward copies of the draft in-lieu fee rules for Council comments as soon as they are ready.

Collis updated the Council on the status of the State Programmatic General Permit with the Corps of Engineers. New SPGP will have to include guidelines for stream crossings, intermittent vs. perennial streams, and vernal pools.

6. **Next Meeting**

The next hearings are scheduled for August 8, 2006 and September 12, 2006.

The next meeting will be determined by Chairman Fowler.

7. **Adjournment**

A motion was made by Councilor Sloan, seconded by Councilor Lockwood and unanimously voted to adjourn.

The meeting adjourned at approximately 9:50 a.m.